
HOUSE BILL No. 1170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-3-2; IC 35-42-3-3.

Synopsis: Criminal confinement and kidnapping. Provides that a person commits kidnapping, a Class A felony, if the person: (1) confines another person while carjacking a vehicle; or (2) removes another person from one place to another with a vehicle. Makes criminal confinement a Class C felony instead of a Class D felony. Increases the offense to a Class B felony if the person confined or removed is less than 14 years of age.

Effective: July 1, 2003.

Herrell

January 8, 2003, read first time and referred to Committee on Courts and Criminal Code.

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First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

HOUSE BILL No. 1170

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-3-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 2. (a) A person who
3 knowingly or intentionally confines another person:

4 (1) with intent to obtain ransom;

5 (2) while ~~hijacking a vehicle~~; **committing carjacking,**
6 **(IC 35-42-5-2);**

7 (3) with intent to obtain the release, or intent to aid in the escape,
8 of any person from lawful detention; or

9 (4) with intent to use the person confined as a shield or hostage;
10 commits kidnapping, a Class A felony.

11 (b) A person who knowingly or intentionally removes another
12 person by fraud, enticement, force, or threat of force from one place to
13 another:

14 (1) with intent to obtain ransom;

15 (2) ~~while hijacking with~~ a vehicle;

16 (3) with intent to obtain the release, or intent to aid in the escape,
17 of any person from lawful detention; or



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(4) with intent to use the person removed as a shield or hostage;
commits kidnapping, a Class A felony.

SECTION 2. IC 35-42-3-3, AS AMENDED BY P.L.59-2002,
SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
JULY 1, 2003]: Sec. 3. (a) A person who knowingly or intentionally:

(1) confines another person without the other person's consent; or

(2) removes another person by fraud, enticement, force, or threat
of force from one (1) place to another;

commits criminal confinement. Except as provided in subsection (b),
the offense of criminal confinement is a ~~Class D~~ **Class C** felony.

(b) The offense of criminal confinement defined in subsection (a)
is a **Class B felony** if:

(1) ~~a Class C felony~~ if the person confined or removed is less than
fourteen (14) years of age and is not the confining or removing
person's child; ~~and or~~

(2) ~~a Class B felony~~ if it:

(A) is committed while armed with a deadly weapon;

(B) results in serious bodily injury to a person other than the
confining or removing person; or

(C) is committed on an aircraft.

SECTION 3. [EFFECTIVE JULY 1, 2003] **IC 35-42-3-2 and
IC 35-42-3-3, both as amended by this act, apply only to offenses
committed after June 30, 2003.**

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